

HEALTH AND SENIOR SERVICES

SENIOR SERVICES AND HEALTH SYSTEMS BRANCH

DIVISION OF HEALTH FACILITIES EVALUATION AND LICENSING

Public Notice

Moratorium Affecting Adult Day Health Care Approvals

Take notice that, in accordance with the provisions set forth in N.J.S.A. 26:2H-1 et seq., the Commissioner of the Department of Health and Senior Services will begin to lift the moratorium on licensure applications for adult day health care facilities on October 1, 2006. New rules addressing the issues identified in licensure surveys and a February, 2003, Office of Legislative Services Audit concerning the Medical Day Care industry in New Jersey (the "OLS Audit"), which resulted in the moratorium first being put in place on June 3, 2002 (34 N.J.R. 1975(c)), became effective December 19, 2005 at 37 N.J.R. 4931(a), and operative on February 1, 2006.

The moratorium on accepting licensure applications for new adult day health services facilities will be lifted first in the counties with the fewest adult day health services slots and the largest population of county residents aged 65 and older. The accompanying table, which gives the number of facilities, adult day slots, individuals aged 65 or older, and available adult day slots for every 10,000 individuals aged 65 or older, and available adult day slots for every 10,000 individuals aged 65 or older on a county-by-county basis, was used by the Department in determining the counties where the moratorium will be lifted first. Based on this table, the moratorium will be lifted first in the counties with the fewest adult day slots for every 10,000 individuals aged 65 or older, followed in order by the counties which currently have the greatest number of adult day slots for every 10,000 individuals aged 65 or older. Lifting the moratorium

in this manner will ensure that applications for facilities located in the counties with the highest number of residents in need of adult day health services will be considered first for approval by the Department. In lifting the moratorium geographically, the Department is seeking to increase accessibility to services in counties most in need of adult day health services.

The moratorium will be lifted on October 1, 2006 in the counties of Cape May, Hunterdon, Morris, Ocean, Somerset, Sussex and Warren. On January 1, 2007, the moratorium will be lifted in the counties of Bergen, Burlington, Camden, Mercer, Middlesex, Monmouth and Salem. On April 1, 2007, the moratorium will be lifted in the counties of Atlantic, Cumberland, Gloucester, Hudson, and Union. On June 1, 2007, the moratorium will be lifted in the counties of Essex and Passaic.

It is necessary to lift the moratorium on a rolling county-by-county basis in order to protect the health, safety, and welfare of the population served by adult day health services facilities. Lifting the moratorium on a rolling basis will provide Department staff the time necessary to conduct a thorough and efficient review of an adult day health services facility's licensure, as well as the survey activity involved with the initial licensure process. Additional time is also necessary for the Department to add and train the staff necessary to perform the prior authorizations necessary for Medicaid-eligible participants.

The moratorium on accepting licensure applications for the expansion of existing adult day health services facilities will be lifted statewide on October 1, 2006.

The moratorium affecting both applications for new or expanded pediatric day health services facilities put in place November 3, 2003 (35 N.J.R. 5167(c)), is still in effect. The Department's pediatric study team is currently developing new licensing rules for pediatric day

health services facilities. The need for a moratorium on pediatric day health services facilities will be reviewed when these new rules are effective.

County	Number of Facilities	Adult Day Slots	Population aged 65 or older*	Adult Day Slots/ 10,000 Seniors aged 65 or older
ATLANTIC	6	528	34,437	153.3
BERGEN	12	816	134,820	60.5
BURLINGTON	4	447	53,218	84.0
CAMDEN	8	683	63,769	107.1
CAPE MAY	3	104	20,681	50.3
CUMBERLAND	4	380	19,087	199.1
ESSEX	20	1,929	94,380	204.4
GLOUCESTER	4	322	29,678	108.5
HUDSON	11	1,143	69,271	165.0
HUNTERDON	1	20	12,228	16.4
MERCER	4	390	44,140	88.4
MIDDLESEX	6	530	92,590	57.2
MONMOUTH	9	490	76,923	63.7
MORRIS	0	0	54,530	0.0
OCEAN	8	395	113,260	34.9
PASSAIC	11	1,264	59,033	214.1
SALEM	1	57	9,311	61.2
SOMERSET	3	185	33,381	55.4
SUSSEX	0	0	13,152	0.0
UNION	12	944	72,041	131.0
WARREN	0	0	13,206	0.0
STATEWIDE	127	10,627	1,113,136	95.5